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FM AMEMBASSY MANAGUA
TO RUEHC/SECSTATE WASHDC 2099
INFO RUEATRS/DEPT OF TREASURY WASHINGTON DC
RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE

UNCLAS MANAGUA 000194

SIPDIS

STATE FOR WHA/CEN, EB/IFD/OIA, AND L/CID
STATE ALSO FOR WHA/EPSC
STATE PASS TO USTR
TREASURY FOR INL AND OWH

SIPDIS

E.O. 12958: N/A
TAGS: [ENV](#) [ECON](#) [USTR](#) [KIDE](#) [NU](#)
SUBJECT: NICARAGUA: AMCIT PROPERTY CLAIMS MONTHLY UPDATE: JANUARY 2008

REFS: A) 07 MANAGUA 2581 B) MANAGUA 173

SUMMARY AND INTRODUCTION

1. In January of the 2007-2008 waiver year, the Government of Nicaragua dismissed 52 U.S. citizen claims via a dubious review process that determined claimants did not own the property that had been expropriated. The Embassy does not consider these 52 claims resolved and they remain active in our database. A U.S. citizen claimant also withdrew six property claims after a local court foreclosed upon the properties. The legal representative for the heirs of a deceased American citizen claimant informed us that the GON resolved a claim registered in the Embassy's Property Office database. We have added a "Court Decision Against Claimant (Claim Withdrawn by Amcit)" section and a "Claims Dismissed by the GON" section to this report.

2. Since January 1995, the GON has resolved 2,520 Embassy-registered property claims belonging to 658 American citizens (Amcits). With the res
EMBASSY REGISTERED CLAIMS DISMISSED BY GON

3. On November 29, 2007, the GON presented the Property Office a list of 18 Embassy-registered claims it was considering dismissing primarily

4. It appears that the GON's currently preferred method to "resolve" Embassy-registered claims is "dismissal." The Embassy does not recognize these dismissed claims as resolved at this time, and continues its efforts to contact and consult with affected claimants to ensure that their rights are protected. Our Property Office also continues to press the GON for more cooperation on the resolution of property claims in a fair and transparent manner.

EMBASSY REGISTERED CLAIMS WITHDRAWN BASED ON COURT DECISIONS

5. On January 30, 2008, Mr. Jose Arguello asked the Property Office to remove six Embassy-registered claims from our database after a local court ruled that the properties be foreclosed upon and transferred to a private bank. Mr. Arguello has accepted the court decision and said that he will no longer pursue these claims.

Claimant	Type of Property	No. of Claims
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Arguello, Jose	land	6

EMBASSY-REGISTERED CLAIMS RESOLVED IN JANUARY 2008

6. On February 6, 2008, Dr. Lino Meza Martinez, legal representative for the heirs of Mrs. Teodolinda Gonzalez-Becklin, provided a written statement to the Embassy Property Office attesting that on January 15, 2008, the GON had compensated Gonzalez-Becklin with indemnification bonds (BPIs) for a house in Managua. The heirs of Mrs. Gonzalez-Becklin reached a settlement with the GON for BPIs with a face value of 1,035,600 cordobas, approximately \$24,750. We have updated our database to reflect this settlement.

Claimant	Type of Claim	No. of Claims	Type of Resolution
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Gonzalez-Becklin, Teodolinda	house	1	bonds

STATUS OF AMCIT PROPERTY AS OF 01/31/07

7. The following is a snapshot of current American citizens' property claims. The Embassy maintains separate databases for claims registered before and after the July 31, 2005, deadline in the Consolidated Appropriations Act.

EMBASSY-REGISTERED CLAIMS	NUMBER
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Total Amcits with all claims resolved (145 were Amcits at time of confiscation)	658
Total Amcits with pending claims (64 were Amcits at time of confiscation)	294
Total Amcits registered with the Embassy prior to July 31, 2005 (269 were Amcits at time of confiscation)	1,137
Total Amcit claims pending resolution (117 were claims of Amcits at time of confiscation)	667
Total Amcit claims resolved (403 were claims of Amcits at time of confiscation)	2,520

EMBASSY-REGISTERED CLAIMS BY CALENDAR YEAR NUMBER

Claims resolved in calendar year 2008 (0 were claims of Amcits at time of confiscation)	1
Claims resolved in calendar year 2007 (0 were claims of Amcits at time of confiscation)	10
Claims resolved calendar year 2006 (6 were claims of Amcits at time of confiscation)	81
Claims resolved calendar year 2005 (7 were claims of Amcits at time of confiscation)	126
Claims resolved calendar year 2004 (11 were claims of Amcits at time of confiscation)	218
Claims resolved calendar year 2003 (22 were claims of Amcits at time of confiscation)	243
Claims resolved calendar year 2002 (20 were claims of Amcits at time of confiscation)	125
Claims resolved calendar year 2001 (17 were claims of Amcits at time of confiscation)	175
Claims resolved calendar year 2000 (7 were claims of Amcits at time of confiscation)	70

EMBASSY-REGISTERED CLAIMS RESOLVED BY WAIVER YEAR NUMBER

Registered claims resolved so far in 2007-08 (waiver year: August 1, 2007 - July 31, 2008)	6
Registered claims resolved 2006-07 waiver year	34
Registered claims resolved 2005-06 waiver year	86
Registered claims resolved 2004-05 waiver year	187
Registered claims resolved 2003-04 waiver year	214
Registered claims resolved 2002-03 waiver year	183
Registered claims resolved 2001-02 waiver year	160
Registered claims resolved 2000-01 waiver year	142
Registered claims resolved 1999-00 waiver year	77
Registered claims resolved 1998-99 waiver year	156
Registered claims resolved 1997-98 waiver year	204
Registered claims resolved 1996-97 waiver year	145

EMBASSY-REGISTERED CLAIMS UNDER GON CONTROL NUMBER

Total Amcit properties under GON control (subject to revision)	54
GON-held claims resolved 2007-08 waiver year	0
GON-held claims resolved 2006-07 waiver year	0
GON-held claims resolved 2005-06 waiver year	3
GON-held claims resolved 2004-05 waiver year	16
GON-held claims resolved 2003-04 waiver year	12
GON-held claims resolved 2002-03 waiver year	11
GON-held claims resolved 2001-02 waiver year	26
GON-held claims resolved 2000-01 waiver year	2
GON-held claims resolved 1999-00 waiver year	2
GON-held claims resolved 1998-99 waiver year	5
GON-held claims resolved 1997-98 waiver year	29
GON-held claims resolved (total)	176

CLAIMS DISMISSED BY GON DURING THE 2007-08 WAIVER YEAR NUMBER

NOVEMBER 2007	18
JANUARY 2008	34
COURT DECISION IN FAVOR OF CLAIMANT (PROPERTIES RECOVERED)	NUMBER
	445
COURT DECISION AGAINST CLAIMANT (CLAIM WITHDRAWN BY AMCIT)	NUMBER
	6
TOTAL CLAIMS RESOLVED BY LAND SWAPS	NUMBER
	6
TOTAL CLAIMS COMPENSATED IN BONDS (face value of bonds \$324.00 million)	NUMBER
	1,857

NON-REGISTERED RESOLUTIONS BY WAIVER YEAR NUMBER

Non-registered resolutions 2007-08 waiver year	0
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Non-registered resolutions 2006-07 waiver year	12
Non-registered resolutions 2005-06 waiver year	30
Non-registered resolutions 2004-05 waiver year	0
Non-registered resolutions 2003-04 waiver year	6
Non-registered resolutions 2002-03 waiver year	22
Non-registered resolutions 2001-02 waiver year	93
Non-registered resolutions 2000-01 waiver year	300
Non-registered resolutions 1999-00 waiver year	455
Non-registered resolutions 1998-99 waiver year	310
Non-registered resolutions 1997-98 waiver year	230
Non-registered resolutions 1996-97 waiver year	208

TOTAL REGISTERED & NON-REGISTERED RESOLUTIONS NUMBER

Total number of Amcit claims resolved	4,540
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NON-WAIVER CLAIMS REGISTERED AFTER JULY 31, 2005 NUMBER

Total Amcit claimants registered with Embassy (1 was an Amcit at time of confiscation)	12
Total Amcit claims pending resolution (1 was a claim of an Amcit at time of confiscation)	18

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